

MINUTES OF THE MEETING OF THE BAR-BENCH-MEDIA CONFERENCE

A meeting of the Bar-Bench-Media Conference was held on Wednesday, May 5, 2004 at 12:30 p.m. in the Supreme Court Conference Room. The members of the Conference in attendance were:

Members of the Electronic News Media:
Chris Carl

Members of the Print News Media:
Rita Farrell
John Taylor

Members from the Bench:
President Judge Henry duPont Ridgely (by phone)
Judge John K. Welch

Members from the Bar:
Donald C. Brown, Esquire
David Culley, Esquire
Kathleen Jennings-Hostetter, Esquire

The first agenda item was the approval of the draft minutes from the December 10, 2003 meeting of the Conference. Upon motion, which was duly seconded, the minutes were unanimously approved as submitted.

The second agenda item, under old business, was the Proposed Administrative Directive/Rule for Expanded Media. Chris Carl reported that Administrative Directive No. 155 (copy attached) had been issued by Chief Justice Veasey. The experiment is limited to non-jury trials in the Court of Chancery and the Superior

Court. The experimental period is from April 15, 2004 to October 15, 2004. The Conference expressed the view that there was a need for a real experiment, and the Conference should make such a request. It was noted that the Superior Court jury trials are of the most interest to the media. Court of Chancery matters such as the Disney and Hollenger cases are also of interest. President Judge Ridgely said a method needs to be developed for the media to find out when cases are scheduled that could be of interest for electronic coverage. He said that the majority of civil jury trials are jury trials in Superior Court. It was decided that a dialogue should be established to get the contact process started to enable the Conference members to begin coverage in the experimental period. The Conference members also felt that the experimental period would need to be expanded.

The next agenda item was Closed Court Hearings. President Judge Ridgely reported that he had contacted Judge Herlihy and Judge Carpenter about specific incidents concerning media access. The problems were caused by miscommunication and security issues. He stated that there should not be limitations on the media entering or leaving a proceeding when Court is in session. He will remind the Judges and ask them to be sensitive to the needs of the media.

Rita Farrell and Peg Bricksley from Dow Jones reported on problems covering cases in the Court of Chancery. The rules for covering proceedings are unclear, not

uniformly enforced and can be overridden by clerical staff. Misunderstandings during a proceeding cannot be addressed. Reporters get different answers from different people on coverage issues. It depends on who you ask and when. Reporters would like to have input into the coverage process prior to the actual proceeding. The reporters would like to see a set of rules for coverage developed and a liaison appointed. The rules could be posted on the Court of Chancery website. Rita suggested that the Conference Chair send a letter to Chancellor Chandler concerning media coverage of Court of Chancery proceedings. Rita agreed to draft a letter for the Conference's consideration. It was noted that the Conference currently lacks a judicial representative from the Court of Chancery.

President Judge Ridgely reported the results of the 2004 Essay Contest. The winners had been selected for each county, and an award ceremony was held in the Supreme Court on April 27, 2004. The winning essays will be placed on the Conference's website, and the essays will be published in *The Delaware Lawyer*. Each winner will serve an internship with members of the Bar-Bench-Media Conference.

The Bar-Bench-Media Dinner was the next topic of discussion. The Committee appointed to plan the dinner has not met. The members, President Judge Ridgely, John Taylor, Rita Farrell and Claire DeMatteis, will try to meet prior to the next

Conference meeting date. One possible topic for the dinner was court hearing closures and contempt proceedings.

The election of a Conference Vice Chair was passed to the next meeting because of the absence of Conference members at the meeting.

There was no new business to discuss.

The final agenda item was the scheduling of the next Conference meeting. The Conference members present decided to meet on Wednesday, September 15, 2004 in the Supreme Court Conference Room. Lunch will be provided.

The meeting adjourned at 1:30 p.m.

Respectfully Submitted,

August 31, 2004